

**GROUP #2**  
**EXPANDED ACCESS TO HOME AND COMMUNITY-BASED SERVICES FOR  
THE ELDERLY AND DISABLED**

**SUMMARY**

The Deficit Reduction Act allows the State to provide home and community-based services for the elderly and disabled as a State Plan option for persons with incomes up to 150% of the federal poverty level. It permits States to cap the number of persons served, maintain waiting lists, and limit the geographic areas where services will be provided. If implemented, it would allow the State to decouple home and community based service eligibility from institutional level of care criteria, but it would also require the State to assure there are stricter eligibility criteria for institutional services than for the State Plan community-based services. In addition, the State may continue to provide services under their existing waivers. A period of presumptive eligibility for up to 60 days may be offered.

The State must use an independent evaluation of determining eligibility. The criteria for determining eligibility for HCBS may take into account the individual's inability to perform two or more activities of daily living. Those criteria may be modified without obtaining prior approval of the Secretary in the event that the enrollment of individuals exceeds the projected enrollment, as long as the State provides at least 60 days' notice to the Secretary. Those receiving services prior to the modification of the criteria may continue to be eligible for services for at least 12 months from the date they first received services under the previous criteria.

**SWOT ANALYSIS – TOP ITEMS SELECTED BY SUMMIT PARTICIPANTS**

**Strengths**

1. Increased flexibility
2. What consumers want

**Weaknesses**

No consensus reached by group

**Opportunities**

1. Rethink whole system

**Threats**

1. Stronger eligibility criteria to meet/obtain budget goals

**Bottom Line: Eleven of fourteen on group said yes.**